CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND SIXTY-SECOND PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 23 January 2001, at 10.10 a.m.

President: Mr. Christopher Westdal (Canada)

GE.01-60262 (E)

The PRESIDENT: I declare open the 862nd plenary meeting of the Conference and the first part of its 2001 session.

As you know, a memorial service is being held today in Kinshasa for the late President of the Democratic Republic of the Congo, who was assassinated last week. On this sad occasion, I would like to convey, on behalf of the Conference and on my own behalf, our condolences to the family of the late President Kabila, as well as to the Government and the people of the Democratic Republic of the Congo.

At the outset, I should like to bid farewell to those colleagues who have left Geneva since we adjourned in September, namely, Ambassadors Hewa S. Palihakkara of Sri Lanka, Iftekhar Chowdhury of Bangladesh, Suh-Ochir Bold of Mongolia and Mohammed Al Douri of Iraq, and to wish them every possible success in their new assignments, as well as happiness for them and their families.

I would also like to extend our welcome to new colleagues who have assumed their responsibilities as representatives of their Governments in the Conference since we adjourned in September, namely, Ambassador Nugroho Wisnumurti of Indonesia, Ambassador Mykhailo Skuratovskyi of Ukraine and Ambassador Prasad Kariyawasam of Sri Lanka. We look forward to working with them all in pursuing our common goals.

I should also like to welcome the presence among us today of the Under-Secretary-General for Disarmament Affairs, Ambassador Jayantha Dhanapala. I am sure we are all grateful to him for his abiding interest in our endeavours and for his support to the Conference.

I turn now to my opening statement as President of the Conference. I should like to express my gratitude to my predecessors who during the course of last year grappled with many of the same issues as those before us now. I mention particularly Mr. Petko Draganov of Bulgaria, in whose work I was fully involved and with whom I participated in inter-sessional consultations which provided valuable insights for my own presidency. I am also grateful to be able to rely upon the able and professional support of Mr. Vladimir Petrovsky, the Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations, and Mr. Enrique Roman-Morey, Deputy Secretary-General of the Conference, to whom, here at his first plenary, I say a special word of welcome, as well as to all other members of the secretariat staff.

In its report to the General Assembly for the 2000 session (CD/1627), the Conference requested that, in order to promote progress during the 2001 session, my predecessor and I should conduct appropriate consultations during the inter-sessional period and make recommendations, if possible, that could help the Conference commence early work on various agenda items, recognizing the support of the Conference for CD/1624, which we call the "Amorim proposal", as a basis for further intensified consultations. It was also specified in paragraph 36 that those consultations should, inter alia, take into account proposals and views presented and discussions held in the 2000 session.

(The President)

I would like now to report briefly on the outcome of those consultations to date, reviewing some of the issues at stake from the vantage point of the President; I want to seek your mandate to continue this work, to complete the current cycle of talks and seek progress beyond; and I want to urge all delegations meanwhile to take advantage of our early plenaries to make worthy use of the political capacity of the Conference and its power to influence the perceptions and the policies of member States.

As mandated and instructed, I have been active. In New York, during the First Committee session, and after that in Washington, London, Beijing, Paris, Moscow and here in Geneva, I have consulted intensively.

I have naturally found great frustration among delegations that the Conference has not been used to much purpose at all for years now. They feel that they have real value to add, that there is vital non-proliferation, arms control and disarmament progress available here and that they are being prevented from achieving it. They find this waste of opportunity disheartening (not to speak of how they feel about the waste of their time and professional energies).

I have also found confirmation of the value invested in CD/1624, the work programme proposed by Ambassador Amorim last August. Representing the result of years of hard work and refinement and designed to reflect and accommodate the diverse views and interests of all members, the programme's virtues are considerable. It would provide scope for profound exploration, discussion and negotiation and offer widespread benefits and satisfactions. It would draw attention to the Conference on Disarmament, enhance its value as a platform and negotiating forum and give us fresh means of credibility and some currency convertible in public and political impact. It would give the media some content to cover, a story worth reporting. And it would be timely, now with a whole session ahead and the issues involved so prominent in international affairs.

This deep respect for the proposal notwithstanding, I must add that I have also confirmed that several parties have reservations and problems with the proposal and are not yet prepared to join a consensus in its favour. You know much about these problems. They have been well described here by the parties who perceive and define them. I will not rehearse them anew.

I do though want to emphasize that in none of my consultations have I found closed minds. I have heard references to "bottom lines", of course, and everyone knows that every word of both the text and the accompanying statement before us has been painstakingly chosen to aim for consensus, so texts are relatively static, but minds are nowhere closed to fresh textual analyses, and equally or more important, minds are not at all closed to the currently highly dynamic context in which our search for consensus proceeds, a context of complex, changing strategic and tactical considerations for all parties.

Of course, there is more at stake than merely the fate of CD/1624. Given widespread concern about tendencies to unilateralism or quite selective multi-polarity, the future course of multilateral non-proliferation, arms control and disarmament in general and of this institution in particular are seen as well to hang in the balance.

(The President)

The general view bears repeating that this Conference is vitally important to our shared hopes for stricter arms control, non-proliferation and disarmament. Its rationale - that everyone's fate is everyone's business - is a rock. Its mandate to negotiate is unique and necessary. And it is critically inclusive. The four States in the world which have not joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) are all here as equal stakeholders. The major Powers are all here, ready - from time to time - to talk, to explore and to negotiate. Indeed, given widespread concerns about global strategic stability and fear of new arms races, it is surely a striking anomaly that the means of engagement available here are currently almost entirely unused.

I seek and will assume your mandate to try hard to do something about that, to put this place back to work. As President, I am highly conscious of our responsibility for the quality of the multilateral options available to States seeking common security, our responsibility for the quality and capacity of the multilateral track forward. There is little point in blaming tools for their lack of use. We do not have the power here to make the decisions required to have us proceed with a programme of work. But it is our direct responsibility here to create and keep on offer the best possible multilateral option we can devise to achieve common non-proliferation, arms control and disarmament goals. My judgement, widely shared, is that CD/1624 - or something very close to it - remains the best option available and further, that it would indeed represent a worthy fulfilment of our fundamental responsibility in this Conference.

We are all of us frustrated, naturally, but as we carry on, I think we would be wise to modulate and channel our impatience creatively. We have little appetite for waiting idle, and none at all for impassivity. But a realistic perspective is critical and patience a necessary virtue, even for those whose aims here have long been frustrated.

This is after all a brand new day - if not indeed still a brand new millennium. This year's session is not yet an hour old. Critical new players were sworn in three days ago. In these real circumstances, it would surely be misguided, in certain key respects, to be impatient that we do not have an entirely agreed work programme. Whatever we make of the pace of the past, however hard we wring our hands, we will have no choice but to start from where we are now.

With your support, I will complete the current cycle of talks and sustain the search for consensus. I will of course keep you informed of my perceptions and my efforts - and of any progress they may yield.

I urge all delegations meanwhile to put our Conference to immediate good use, the lack of an agreed work programme notwithstanding. I must note in this context that the speakers lists for our plenaries are very short, and I must worry what signal that sends. I urge all to use these plenaries to share assessments of CD/1624 and the way forward in current global security circumstances. And beyond, I urge its use to seek common ground, to serve interests we all share - weapon and non-weapon State alike, NPT party and non-party together, States from all the groups and regions, all as one, eye-to-eye here, gathered to try to serve our security in this conference with community, trust and verified multilateral action - so that we might all feel much less inclined to try to serve it elsewhere with arms.

(The President)

More figuratively still, I urge you to use this unique forum to express the health in us, the dignity and the will, that we might here gain an upper hand against the grave dangers which confront us, that we might here together deepen our perceptions of common, global, multilateral security interests and here create and use fresh means to sustain, protect and promote them.

This rhetoric would be very appropriately made real in a decision by consensus to adopt a programme of work as ambitious as that of CD/1624, with its coverage of fissile material for weapons, security assurances, the prevention of an arms race in outer space and nuclear disarmament, along with transparency, anti-personnel mines and CD membership, agenda and functioning. It is a mouthful worth speaking. All of it would be work very highly worth doing.

When he addressed our Conference two years ago, President Jiang Zemin offered a vision we should all strive to fulfil. He quoted the Tang dynasty poet Li Bai: "A time will come to ride the wind, cleave the waves, I will set my cloud-white sail and cross the sea which raves."

The sea raves. I think the time has come to set our cloud-white sail, to ride and to cleave ... to plough on dauntless and plane when we can.

And planing right along, I should now like to invite the Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations, Mr. Vladimir Petrovsky, to read us a message addressed to the Conference by Mr. Kofi Annan.

Mr. PETROVSKY (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): The Secretary-General of the United Nations, Mr. Kofi Annan, has asked me to deliver the following message on the occasion of the opening of the Conference on Disarmament, and I quote:

> "The Conference on Disarmament is a unique forum for multilateral disarmament negotiations. And you are opening your 2001 session at a unique time in multilateral diplomacy. At last year's Millennium Summit, Member States reaffirmed their commitment to the goals and principles of the United Nations Charter, and their resolve to acting on the most pressing challenges of our age. The Millennium Declaration spelt out the need to work for the elimination of weapons of mass destruction - particularly nuclear weapons - and for an end to the illicit traffic in small arms and light weapons. The Declaration of the Security Council's Summit stressed the critical importance of disarmament in the context of post-conflict situations.
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> "Also last year, the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted by consensus - for the first time in 15 years - a final document on the Treaty's implementation. Further progress was achieved in the negotiations on a verification protocol to the Biological Weapons Convention. The Second Meeting of the States Parties to the Convention on the Prohibition of Anti-Personnel Mines, and the second annual conference of States Parties to the amended Protocol II to the Convention

(Mr. Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations)

on Certain Conventional Weapons, gave new impetus to efforts to eliminate landmines and to mitigate their tragic effects. And preparations for the forthcoming United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects entered a crucial stage.

"And yet, in that same millennium year, the Conference on Disarmament was once again unable to reach consensus on a comprehensive programme of work. Persistent disagreement on priorities prevented you from agreeing on appropriate mechanisms to deal with both nuclear disarmament and the prevention of an arms race in outer space. There was no progress in negotiations on a treaty banning the production of fissile material for nuclear weapons. Overall, the lack of consensus led to a stalemate which is a source of considerable concern to me and an indication that this Conference has been unable to live up to its full potential.

"We must take firm and concerted action to overcome this state of affairs. We must work for a political climate conducive to the full use of this Conference as a negotiating forum. This requires restoring a necessary degree of harmony among the main players. Only then will the Conference be able to strike the right balance between the disarmament priorities of all Member States - in particular those related to consolidation of the nuclear non-proliferation regime and to the process of nuclear disarmament - while preserving and enhancing strategic stability.

"I would urge all members of the Conference to consider the many intellectual and political resources at your disposal. You remain the single multilateral disarmament negotiating body of the international community. No other forum has so many disarmament experts and such accumulated knowledge in this field. Your members include 15 States that maintain missions dealing exclusively with disarmament and headed by ambassadors for disarmament. Your representative membership puts you in the unique and privileged position of negotiating outcomes that could be truly universally adhered to and effectively implemented.

"The first task before you as you open this session, therefore, is to overcome the disturbing lack of political will that prevents you from making full use of those resources. Last year, the Conference did make commendable progress in developing consensus on the appropriate mechanisms to deal with two outstanding issues: nuclear disarmament and prevention of an arms race in outer space. I urge you to follow up on this process with determination. I urge you to use it to build a critical mass of political will that could trigger agreement on a workable and balanced programme of work addressing the priorities and concerns of all States. I am convinced that if you adopt a results-based approach, you will succeed. Such an approach that has already proved effective in many areas, including some related to disarmament. It has also been a cornerstone of the process to strengthen the United Nations as a whole.

(Mr. Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations)

"For my part, I pledge that the United Nations will do all it can to support the endeavours of the Conference. I add the hope that in this year of 2001, we will move from words to deeds and see the results of a truly productive and successful session."

Mr. President, while I have the floor, I would like to make some remarks on some organizational aspects of our Conference.

As in previous years, the Conference will be allocated 10 meetings per week. Accordingly, the Conference will be able to hold two meetings daily, with full services, throughout the session. I hardly need to emphasize that it is essential that the Conference make the best possible use of the resources allocated to it. In this connection, I should like to remind you also that punctuality in starting meetings is very important. Furthermore, it should be emphasized that meetings with full services cannot be held in the evening or during weekends.

The Conference will continue to have at its disposal the Council Chamber, room 1, room C-108 and the secretariat conference room on the sixth floor. If needed, an additional conference room may also be provided. When such facilities are needed for consultations, delegations are kindly requested to coordinate their use in advance through the secretariat.

With regard to documentation, you should be aware that the capacity of the language services is still stretched to its limits. Therefore, the measures already observed by the Conference concerning the most rational and economic issuance and the use of documentation continue to be relevant. In particular, all documents need to be presented well in advance and duplication of documentation should be avoided. In this respect, I should like to once again draw the attention of the Conference to the fact that the United Nations regulations do not permit the translation and distribution of statements delivered by delegations in plenary meetings as separate Conference documents, since they are already reproduced in the verbatim records which are part and parcel of the documentation of the Conference. I am sure that I can count on your full cooperation in exercising every restraint wherever possible in the conduct of documentation.

I would also like to recall that, as part of the secretariat's efforts to reduce operating costs as of March 1996, only documents containing draft proposals which require action will be circulated in meeting rooms. Pre-session and reference documents will continue to be supplied to the permanent and observer missions. Therefore, delegations are kindly requested to keep the copies they receive throughout the annual session and use them during the meetings. Nevertheless, a limited number of documents will be available from the documents distribution counter in room C-111.

(Mr. Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations)

Last, but not least, I would like to remind delegations to send me their letters of accreditation as soon as possible, so that the secretariat may issue passes granting access to the conference rooms, as well as the list of participants. Delegations are kindly requested to carry with them either their Conference on Disarmament passes or at least their identification provided by the United Nations Office at Geneva.

The PRESIDENT: Thank you, Mr. Petrovsky, for that administrative information and for the message from the Secretary-General. I would be grateful if you would convey our appreciation for his contribution and for the importance that we know he attaches to our work.

The Secretary-General of the United Nations has also sent me a communication transmitting all the resolutions on disarmament and international security measures adopted by the General Assembly at its fifty-fifth session, including those addressing specific requests to this Conference. That communication has been distributed by the secretariat as document CD/1633.

I have no speakers on my list for today. Does any delegation wish to take the floor at this stage? I see the representative of Germany. Ambassador Seibert, you have the floor.

Mr. SEIBERT (Germany): Mr. President, it is a particular pleasure to congratulate you, Sir, on the assumption of the presidency of this Conference. We are all aware of the strong commitment of Canada to arms control and disarmament in all areas. Your country has played a decisive role in many forums, especially in one major achievement of the recent past, the treaty to ban anti-personnel mines, fittingly called the Ottawa Treaty.

I should also like to take this opportunity to welcome new colleagues in this Conference, as well as the new Deputy Secretary-General of the Conference, Mr. Roman-Morey. I am looking forward to cooperating closely with all of them. I also wish to extend a warm welcome to the Under-Secretary-General for Disarmament Affairs, Mr. Dhanapala, who is with us today.

The first presidency of the Conference's session is the most difficult and the most challenging one. According to the ambitious goals of the Conference as set out in its decision CD/1036, the Conference is supposed to take the major decisions on its work, that is, on its agenda, the programme of work and the creation of subsidiary bodies, within the first two weeks of its session. So your task is truly a daunting one. You are called upon to achieve within two weeks what the Conference has not been able to achieve during the past two years. It might seem to be a "mission impossible", but it must be undertaken. You can count on the fullest support of the German delegation for your efforts to overcome the stalemate of the last years and to achieve the earliest possible resumption of substantive work in this Conference.

(Mr. Seibert, Germany)

The first decision that this Conference is supposed to take is on its agenda. One year ago, at the first plenary of last year's session I already expressed misgivings on the way the agenda had been handled in the past. I pointed out that the agenda was not only outdated but that it had lost all practical significance for the work of this Conference. During the last two years no substantial work has taken place on any of the items of the agenda. There has been no true discussion in the plenary on any of these items, and no subsidiary bodies to negotiate or to prepare the ground for future negotiations have been created. I do not want to repeat in detail what I said a year ago, as I consider it quite obvious that the Conference must discuss and try to deal with this unsatisfactory situation if we do not achieve an early breakthrough. What is, after all, the purpose of an agenda, if we first have to adopt a so-called programme of work before we even can have a substantive debate on the items on the agenda? Furthermore, the decision on the agenda that we have adopted for the last four years refers to consultations on the review of its agenda and states that the decision is "without prejudice to their outcome". Nevertheless, no such consultations have taken place at all during the last two years. This does not enhance the credibility of the decisions of this Conference.

There seems to be general agreement in this Conference that these questions have to be dealt with. In fact, the proposals on a so-called programme of work put forward by successive presidents last year include the appointment of special coordinators on the review of the agenda and the improved and effective functioning of the Conference. On these, as on other items of those proposals, general agreement has existed for quite some time. No decisions have been taken, however, due to the two major outstanding issues of which we are all aware. Even on these two issues, there exists a general agreement that they should be dealt with in appropriate subsidiary bodies. Only the designation and the mandates of such subsidiary bodies apparently remain controversial. If all delegations were to resist the temptation to attempt to prejudge the outcome of our work even before it has started, we could start work very soon. I can assure you, Mr. President, that - as in the past - the German delegation will be very flexible on these matters.

The first objective of this Conference must be to get down to substantive work as soon as possible. Germany will support efforts to achieve this aim. We strongly prefer to concentrate on the major substantive issues and to avoid procedural debates. If we do not succeed, however, in achieving progress towards this goal during your presidency, we do believe that the Conference will urgently have to re-examine the way it conducts its business and the role and relevance of its present agenda.

The PRESIDENT: Thank you, Ambassador Seibert, for your contribution and for your kind words and expression of support to me. Are there other speakers who wish to take the floor now? If not, I intend to invite the Conference to consider in an informal plenary meeting the draft agenda for the 2001 session, as contained in document CD/WP.514, which has been distributed this morning and is familiar to you, as well as the requests received from States not members of the Conference to participate in our work during this session, as contained in document CD/WP.513, which has also been distributed this morning.

(The President)

Thereafter - that is, after our informal session - we shall resume this plenary meeting in order to formalize any agreements reached at the informal plenary. I therefore suspend briefly the plenary and convene an informal meeting open only to members of the Conference, in order to consider the draft agenda and the requests received from non-members. We will suspend for a couple of minutes to allow the other delegations and visitors to leave the room.

The meeting was suspended at 10.45 a.m.

The meeting was resumed at 11.05 a.m.

The PRESIDENT: The 862nd plenary meeting is now resumed.

I propose that we deal with the two subjects that were anticipated and that we have just discussed informally, in the order in which we discussed them informally. Accordingly, I will draw your attention first to CD/WP.513, to which are attached the requests from the 34 non-members who have asked to participate. I will, for the record, again read those 34 States and propose that they be granted the right to participate: Albania, Armenia, Azerbaijan, Brunei Darussalam, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Gabon, Georgia, Greece, the Holy See, Iceland, Jordan, Latvia, Lebanon, the Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Nepal, the Philippines, Portugal, Qatar, San Marino, Singapore, Slovenia, Thailand, the former Yugoslav Republic of Macedonia, and Zambia.

May I take it that the Conference decides to invite these States to participate in our work in accordance with its rules of procedure? I see no objections.

It was so decided.

Second, I move to the question of the agenda and, in accordance with the discussion that we have just had informally, I draw your attention to CD/WP.514, which we would now formally amend, again, replacing the words "pending the conclusion of its consultations" with the words "deciding to resume its consultations".

As I have intimated, I will make a statement to the effect that it is my understanding that if there is a consensus in the Conference to deal with any issues, they could be dealt with within this agenda. Is there agreement to the agenda thus revised and thus accompanied by the statement I have just made? I see no objections.

It was so decided.

Mr. AKRAM (Pakistan): Mr. President, in the context of the statement which you have just made, along with the adoption of the agenda, I would like to make a short statement of our understanding.

(Mr. Akram, Pakistan)

Mr. President, you have just made a statement following the adoption of the agenda that the Conference on Disarmament is not precluded from taking up other issues under the present agenda. In this context I would like to stress that the international community has now fully accepted the proposition that arms control and disarmament matters at the global level must be complemented by measures at the regional and subregional levels. This in fact reflects the specific dynamics of the arms races in various parts of the world. Both global and regional disarmament must therefore be pursued simultaneously.

The General Assembly has called upon the Conference on Disarmament, in resolution 55/33P, to negotiate principles for arms control at the regional and subregional levels. My delegation intends to pursue this proposal and the recommendations of the General Assembly within the Conference on Disarmament under an appropriate agenda item.

The PRESIDENT: If there are no other speakers I shall take it that our business is concluded. The next meeting of the Conference will be held on Thursday of this week, 25 January, at 10 a.m.

The meeting rose at 11.05 a.m.